IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

Crl. Rev.Pet.No. 591 of 2007()

CRA.575/2005 of ADDL. DISTRICT & SESSIONS COURTS FAST TRACK (ADHOC), MAVELIKKARA

CC.49/2003 of JUDL.MAGISTRATE OF FIRST CLASS, KAYAMKULAM

.....

REVN. PETITIONER: ACCUSED

NIBU RAJ, AGED 35,
S/O.BABU RAJ, BINU BHAVAN,
MELOOD P.O., PAZHAKULAM EAST, ADOOR.

BY ADV. SRI.K.R.SUNIL

RESPONDENTS: COMPLAINANT/RESPONDENT

---

1. USHA J.KURUP, W/O.JANARDHANA KURUP,
   USHUS, NEAR LAKSHMI THEATER, CHERAVALLY MURI,
   KAYAMKULAM.

2. STATE OF KERALA, REP. BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

==========

CRL. R.P. NO. 591 OF 2007

==========

Dated this the 9th day of February 2007

O R D E R

The revision petitioner who is the accused stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of one year and to pay a sum of Rs. 4,00,000/- as compensation and in default to undergo simple imprisonment for two months more vide section 357 (3) Cr. P.C.

2. Counsel for the revision petitioner has sought for time to settle the matter and for modification of sentence. In the circumstances, sentence is modified to imprisonment till rising of the court and to pay a compensation of Rs. 4,00,000/- to the complainant under section 357 (3) Cr. P.C and in default to undergo simple imprisonment for 3 months. The revision petitioner is granted six months time from today to pay the amount of compensation. The accused shall appear before the

Judicial First Class Magistrate Court, Kayamkulam on **10.08.2007** to receive sentence.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

RV